

**BOARD OF NURSING  
MEETING MINUTES  
OCTOBER 4, 2012**

**PRESENT:** Kay Coppens, Julie Ellis, Maria Joseph, Rachelle Lancaster, Gretchen Lowe, Julia Nelson, Lillian Nolan, Carol Ott

**EXCUSED:** Jeffrey Miller

**STAFF:** Dan Williams, Executive Director; Pamela Stach, Legal Counsel; Kimberly Wood, Program Assistant Supervisor; Matthew Niehaus, Bureau Assistant; Sharon Henes, Paralegal; and other Department Staff

**CALL TO ORDER**

Julia Nelson, Chair, called the meeting to order at 9:13 a.m. A quorum of nine (9) members was present.

**ADOPTION OF AGENDA**

**Amendments to the Agenda**

- Item “O-3” (closed session) **REMOVE** the agenda item titled “O. Deliberation of Proposed Stipulations and Final Decisions and Orders; 3) Paula Lyle, R.N. (12 NUR 244)”

**MOTION:** Kay Coppens moved, seconded by Maria Joseph, to adopt the agenda as amended. Motion carried unanimously.

**APPROVAL OF MINUTES OF SEPTEMBER 13, 2012**

**Amendments to the Minutes**

- Page 1 of the Minutes: Under the topic titled “Legislative/Administrative Rule Matters” make the following addition to the second motion as outline below:
  - **MOTION:** Rachelle Lancaster moved, seconded by Carol Ott, to request the Department to contact the educational administrators in the State to make them aware of the scope statement and to request feedback. **Motion carried unanimously.**
- Page 2 of the Minutes: Under the topic titled “Report of the Education and Licensure Committee” at the end of this section, format the language adopting the Committee’s actions to reflect in motion format.
- Page 2 of the Minutes: Under the topic titled “Report of the Practice Committee” at the end of this section, format the language adopting the Committee’s actions to reflect in motion format.

- Page 4 of the Minutes: Under the topic titled “Proposed Final Decision(s) and Order(s)” make the following correction to the last motion:
  - **MOTION:** Rachelle Lancaster moved, seconded by Julie Ellis, to adopt the Findings of Fact, Conclusions of Law, proposed Decision and Order with variance in the disciplinary proceedings against Shane Nelson, R.N., (10 NUR 515/DHA Case No. SPS-12-007) and to designate Jeffrey Miller to review and approve the variance once drafted. Motion carried. ~~Kay Coppens was excused during deliberation and abstained from voting.~~ **Recused: One**
- Page 4 of the Minutes: Under the topic titled “Proposed Final Decision(s) and Order(s)” add the following language beneath the last motion: “(Kay Coppens left the room for deliberation and recused herself from voting in the matter of disciplinary proceedings against Shane Nelson, R.N., 10 NUR 515/DHA Case No. SPS-12-007.)”

**MOTION:** Gretchen Lowe moved, seconded by Maria Joseph, to approve the minutes of September 13, 2012 as amended. Motion carried unanimously.

## **EXECUTIVE DIRECTOR MATTERS**

### **Staff Changes**

**MOTION:** Gretchen Lowe moved, seconded by Kay Coppens, that a letter be sent to Secretary Dave Ross and to Deputy Secretary Bill Wendle addressing the concerns regarding staffing issues on the Board of Nursing, and to address the questions listed within. The Board expects the Secretary to appear before the Board at the November 2012 meeting, schedule permitting, to respond to the issues of the Board. Motion carried unanimously.

**MOTION:** Rachelle Lancaster moved, seconded by Carol Ott, that the Board of Nursing draft a letter recognizing 8 years of service by Colleen Baird, and to acknowledge her excellence and expertise. She contributed to the Board’s ability to protect the public. The Board requested that a copy of this letter be forwarded to Secretary Ross and Governor Walker. Motion carried unanimously.

## **REPORT OF EDUCATION AND LICENSURE COMMITTEE**

**BOARD MOTION:** Carol Ott moved for the adoption of the Committee’s recommendations. The Board adopts by unanimous consent.

### **Wisconsin Technical College System**

#### ***1) Review of Curriculum Changes***

**COMMITTEE MOTION:** Rachelle Lancaster moved, seconded by Kay Coppens, to recommend approval of the curriculum changes submitted by the Wisconsin Technical College System. Motion carried unanimously.

## **University of Wisconsin – Green Bay**

### ***1) Review of Request for Approval of Educational Administrator***

**COMMITTEE MOTION:** Kay Coppens moved, seconded by Rachelle Lancaster, to recommend approval of the request for approval of Susan M. Gallagher-Lepak, BSN, MSN, PhD, as the Educational Administrator for the University of Wisconsin-Green Bay. Motion carried unanimously.

### **Other Committee Business**

**COMMITTEE MOTION:** Gretchen Lowe moved, seconded by Rachelle Lancaster, to recommend reinstatement of tape recording of the Education and Licensure Committee meetings and that if this mechanism is not reinstated that the Committee will purchase a recorder for this purpose. Motion carried unanimously.

**COMMITTEE MOTION:** Kay Coppens moved, seconded by Gretchen Lowe, recommend that the Executive Director develop stationary for the Board to utilize in its official correspondence. Motion carried unanimously.

### **NCSBN MATTERS**

### **Board Consideration to Delegate Members to Attend NCSBN Operations Conference, November 8-9, 2012 in Chicago, IL**

**MOTION:** Rachelle Lancaster moved, seconded by Lillian Nolan, to designate Dan Williams to attend the NCSBN Operations Conference, November 8-9, 2012 in Chicago, Illinois. Motion carried unanimously.

**MOTION:** Rachelle Lancaster moved, seconded by Lillian Nolan, that a letter be crafted by the Board to the Division of Policy Development Administrator, and Secretary Dave Ross indicating that Dan Williams, Executive Director, attend this conference, as there is no cost to the Department and it is essential for continued Board business. Motion carried unanimously.

### **BOARD CONSIDERATION OF DSPS CHANGES AND PLANNING OF FUTURE RESOURCES**

**MOTION:** Rachelle Lancaster moved, seconded by Kay Coppens, that the Board of Nursing re-establish the regulatory digest, for the first year on a quarterly basis with consideration of increased frequency thereafter. Motion carried unanimously.

**MOTION:** Rachelle Lancaster moved, seconded by Carol Ott, to place the item titled “Consideration of Board Strategic Planning and its Mission, Vision and Values” on the agenda as a standing item. This item will be placed at the end of the agenda after the Board reconvenes to open session from closed session. Motion carried unanimously.

### **CLOSED SESSION**

**MOTION:** Kay Coppens moved, seconded by Lillian Nolan, to convene to closed session pursuant to Wisconsin State statutes 19.85(1)(a)(b)(f) and (g) for the purpose of conducting appearances, reviewing monitoring requests, requests for licensure, deliberate on stipulations, administrative warnings, proposed decisions and orders, consulting with Legal Counsel and Division of Legal Services and Compliance case status reports. Roll Call Vote: Kay Coppens-yes; Julie Ellis-yes; Maria Joseph-yes; Rachelle Lancaster-yes; Gretchen Lowe-yes; Julia Nelson-yes; Lillian Nolan-yes; and Carol Ott-yes. Motion carried unanimously.

The Board convened into Closed Session at 12:38 p.m.

### **RECONVENE TO OPEN SESSION**

**MOTION:** Gretchen Lowe moved, seconded by Kay Coppens, to reconvene into open session. Motion carried unanimously.

The Board reconvened into Open Session at 2:42 p.m.

### **VOTING ON ITEMS CONSIDERED OR DELIBERATED ON IN CLOSED SESSION**

**MOTION:** Gretchen Lowe moved, seconded by Lillian Nolan, to reaffirm all motions made in closed session. Motion carried unanimously.

### **MONITORING**

#### **Regina M. Young, R.N. – Stay of Suspension**

**MOTION:** Rachelle Lancaster moved, seconded by Kay Coppens, to deny the request for stay of suspension of license to Regina M. Young, R.N., and to refer this matter back to the Division of Legal Services and Compliance for further action. Additionally, please forward this matter to the Nursing Home Administrator Examining Board. **Reason for Denial:** Lack of compliance with Board Order. Motion carried unanimously.

**Kathryn M. Berry, R.N. – Requesting Full Licensure**

**MOTION:** Gretchen Lowe moved, seconded by Julie Ellis, to deny the request of Kathryn M. Berry, R.N., for full licensure. **Reason for Denial:** Insufficient time under the Board Order. Motion carried unanimously.

**Mary S. Gallagher, R.N., – Requesting Full Licensure**

**MOTION:** Kay Coppins moved, seconded by Gretchen Lowe, to deny the request from Mary S. Gallagher, R.N., for full licensure. **Reason for Denial:** Inadequate evidence in support of reinstatement. Motion carried unanimously.

**Zetisha B. Kayde, R.N. – Requesting Reinstatement of License and Extension of Time to Pay Costs**

**MOTION:** Kay Coppins moved, seconded by Carol Ott, to deny the request of Zetisha B. Kayde, R.N., to reinstate her license and extend time to pay costs. **Reason for Denial:** Lack of compliance with Board Order. Motion carried unanimously.

**Beth A. Schumacher, R.N. – Requesting Reinstatement of License**

**MOTION:** Lillian Nolan moved, seconded by Gretchen Lowe, to grant the request of Beth A. Schumacher, R.N., for reinstatement of license contingent upon two years of directly supervised practice, or, if in a home care setting employed through an agency. Work setting must be pre-approved by the Board or its designee. Ms. Schumacher must submit work reports on a quarterly basis. The Board requires a copy of the Board Order to be provided to her employer(s). Motion carried unanimously.

**Ann E. Stanton, R.N. – Requesting Modification**

**MOTION:** Gretchen Lowe moved, seconded by Kay Coppins, to deny the request of Ann E. Stanton, R.N., for access to controlled substances and Board's approval to serve on a medical mission trip in Haiti. **Reason for Denial:** Insufficient time under Board Order. Motion carried unanimously.

**CASE CLOSINGS**

**MOTION:** Julie Ellis moved, seconded by Maria Joseph, to close the case # 12 NUR 034 for prosecutorial discretion (P2). Motion carried unanimously.

## **PROPOSED STIPULATIONS, FINAL DECISIONS AND ORDERS**

**MOTION:** Gretchen Lowe moved, seconded by Kay Coppens, to adopt the Findings of Fact, Conclusions of Law, Final Decisions and Orders in the disciplinary proceedings against:

- Lorraine E. Miesbauer, R.N. (12 NUR 202)
- Jerry Perkins, R.N. (12 NUR 215)

Motion carried unanimously.

### **DELIBERATION ON ORDERS FIXING COSTS**

**MOTION:** Rachelle Lancaster moved, seconded by Carol Ott, to adopt the Order Fixing Costs in the matter of Gary J. Stromberg, R.N. (11 NUR 109) with payment on or before July 4, 2013. Motion carried unanimously.

### **ADJOURNMENT**

**MOTION:** Kay Coppens moved, seconded by Carol Ott, to adjourn the meeting. Motion carried unanimously.

The meeting adjourned at 2:51 p.m.